IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL APPELLATE JURISDICTION
WRIT PETITION NO.2691 OF 2006.

Ms.Bhagwandas Dyeing &
Printing Works ..Petitioner

versus

The State of Maharashtra
& Others ..Respondents

Ms. Shubhangi P. Chauhan i/b. Ashok M. Saraogi for the Petitioner

Mr.Pandit for Respondent No.1.

Ms.Kiran Bagalia for Respondent Nos.2 and 3.

Coram : B.H.Marlapalle &
S.R.Sathe, JJ.
Dated : 9th July, 2007

P.C.

1. We have heard Mr. Saraogi, learned Advocate for the petitioner as well as the learned advocates for the respondents. We have also perused the affidavit filed by the Assistant Manager of Mumbai Metropolitan Regional Development Authority (Respondent No.3) and the rejoinder filed by the partner of the petitioner firm.

2. We have also noted that the respondent No.4 i.e. the Federation of the Bombay Textile Traders Association, representing the textile traders like

the present petitioner had also approached this Court in Writ Petition No.968 of 1990 and the same has been dismissed on 23.9.2003 as infructuous/ does not survive. The reliefs sought for in the said petition included the relief prayed for in this petition as well.

3. Though there is some merit in the demand that the textile traders should be shifted from the dense area of South Mumbai and a new textile market should be established in the upcoming areas in the suburbs like the Bandra Kurla Complex or New Bombay, such an issue can be more effectively reagitated by the respondent No.4. The relocation of the wholesale textile market is the need of the hour and it would be for the respondent No.1 federation to either approach the State Government for persuading it to reconsider the issue afresh or to resort to appropriate judicial proceedings. This petition is filed by one single trader for such a demand and more particularly, when the petition filed by the respondent No.4 has been disposed off, it would not be appropriate to entertain the same at this stage.

4. Hence, the petition is rejected summarily

and we make it clear that if the respondent No.4 federation reapproaches the State Government or this Court by way of a PIL, this order will have no bearing.

(S.R.Sathe, J.) **(B.H.Marlapalle, J.)**